

BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

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IN THE MATTER OF THE REQUEST )  
FOR AGENCY ACTION OF HARVEST )  
(US) HOLDINGS, INC. FOR AN ORDER )  
FORCE POOLING THE INTERESTS )  
OF CERTAIN NON-CONSENTING )  
OWNERS IN CERTAIN 40-ACRE OR )  
EQUIVALENT DRILLING UNITS )  
WITHIN SECTIONS 29 AND 20, T4S )  
R2W, USM, DUCHESNE COUNTY, )  
UTAH )

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JOINT MOTION FOR ORDER  
CONTINUING FORCE POOLING  
HEARING

Docket No. 2009-005

Cause No. 266-02

Newfield Production Company (“**Newfield**”) and Harvest (US) Holdings, Inc. (“**Harvest**”), by and through their undersigned attorneys and pursuant to Utah Administrative Code R641-105-300, hereby respectfully move the Board of Oil, Gas and Mining (the “**Board**”) to enter an order continuing the hearing in this Cause from the Board’s regularly scheduled May 27, 2009 hearing to the Board’s hearing scheduled for June 24, 2009. The continuance will allow Newfield and Harvest additional time to negotiate a voluntary pooling agreement or to otherwise resolve their differences. A proposed form of Order Continuing Hearing is attached hereto.

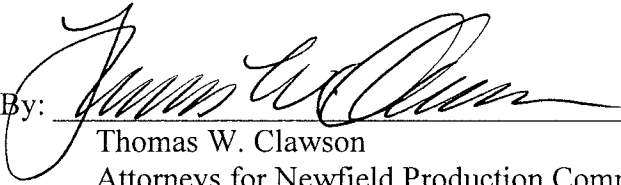
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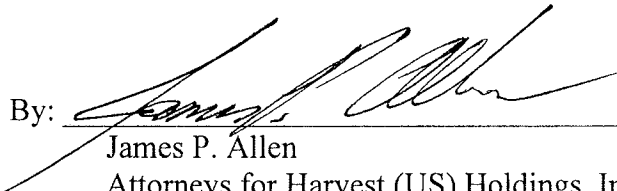
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Dated this 26th day of May, 2009.

VANCOTT, BAGLEY, CORNWALL & McCARTHY

By:   
Thomas W. Clawson  
Attorneys for Newfield Production Company  
36 South State Street, Suite 1900  
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Telephone: (801) 532-3333

SNELL & WILMER L.L.P.

By:   
James P. Allen  
Attorneys for Harvest (US) Holdings, Inc.  
15 West South Temple Street, Suite 1200  
Salt Lake City, Utah 84101  
Telephone: (801) 257-1900

### CERTIFICATE OF MAILING

I hereby certify that on this 26th day of May, 2009, I caused a true and correct copy of the foregoing *Joint Motion for Order Continuing Force Pooling Hearing* and proposed form of order continuing hearing to be mailed, U. S. Mail postage pre-paid, to the following:

Snell & Wilmer L.L.P.  
Attn: James P. Allen and Bradley R. Cahoon  
15 West South Temple St., Suite 1200  
Salt Lake City, UT 84101

Harvest (US) Holdings, Inc.  
Attn: Gil S. Porter  
1177 Enclave Parkway, Suite 300  
Houston, TX 77077

Northern Chicago Trust Co.  
Vincent Duncan III, Trustee  
c/o Walter Duncan Oil, a Limited Partnership  
1777 S. Harrison Street., P-1  
Denver, CO 80210

H. Bruce Markham Trust  
FBO Kate Markham  
c/o Richard S. Hudgins  
Slosser, Hudgins, Struse & Freund, PLC  
6750 N. Oracle Road  
Tucson, AZ 85704

Mollee Markham  
c/o Tom Siutes  
4801 E. Broadway Boulevard, #301  
Tucson, AZ 85711

Carrie Markham  
c/o Jeanette Geiser  
910 S. Craycroft Road  
Tucson, AZ 85711-7113

Questar Exploration and Production Company  
1050 17<sup>th</sup> Street, Suite 500  
Denver, CO 80265

Jay Lynn Stone  
1768 Herbert Avenue  
Salt Lake City, UT 84108

El Paso Oil & Gas Resources, Inc.  
Attn: Laura Smith  
1099 18<sup>th</sup> Street, Suite 1900  
Denver, CO 80202

Croff Enterprises, Inc.  
Attn: Gerald Jensen, President  
3773 Cherry Creek Dr. North, Suite 1025  
Denver, CO 80209

Kenneth D. Luff Trust  
Trustee of the Kenneth D. Luff Trust  
1580 Lincoln Street, Suite 850  
Denver, CO 80203

Mary Kathryn Carson  
c/o Dottie McLaughlin  
Asset Administration Manager  
Oil & Gas Division  
Wells Fargo Bank  
P O Box 1959  
Midland, TX 79072

Kaiser Francis Oil Company  
6733 South Yale Avenue  
Tulsa, OK 74136-3302

Walter Duncan Oil, LP  
1777 S. Harrison Street, P-1  
Denver, CO 80210

Penroc Oil Corporation  
Attn: M. Y. Merchant, President  
P O Box 2769  
Hobbs, NM 88241

Mark A. Chapman  
P O Box 450  
1205 Silliman Street  
Sealy, TX 77474

Laurence Scott Noble  
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Huntington Beach, CA 92649

PEC Minerals LP  
Attn: Ann McConville  
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Dallas, TX 75254

Phillip Wm. Lear  
Jonathan D. Lear  
Lear & Lear, L.L.P.  
808 East South Temple Street  
Salt Lake City, Utah 84102  
Attorneys for El Paso E&P Company, L.P.

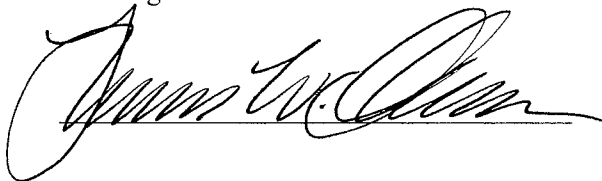
Raymond T. Duncan Oil Properties, Ltd.  
1777 S. Harrison Street, P-1  
Denver, CO 80210

Eagle Rock Energy  
16701 Greenspoint Park Drive., Suite 200  
Houston, TX 77060

Lindsay Noble  
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San Leandro, CA 94577

Falcon Royalties, LLC  
A subsidiary of Noble Royalties, Inc.  
15601 North Dallas Parkway, Suite 900  
Addison, TX 75001

Kevin Bolander  
Steven F. Alder  
Assistant Attorneys General  
1594 West North Temple #1700  
Salt Lake City, Utah 84116  
Attorneys for the Division of Oil, Gas and  
Mining

A handwritten signature in black ink, appearing to read "Raymond T. Duncan", written over a horizontal line.

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DEPARTMENT OF NATURAL RESOURCES

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ORDER  
CONTINUING HEARING

Docket No. 2009-005

Cause No. 266-02

The Board of Oil, Gas and Mining (the "Board") having fully considered Newfield Production Company's and Harvest (US) Holding Inc.'s Joint Motion for Order Continuing Force Pooling Hearing (the "Motion"), and the grounds and reasons provided therefore, and good cause appearing, hereby enters its Order granting the Motion as follows:

1. The hearing in this Cause is continued from the Board's regularly scheduled May 27, 2009 hearing to the Board's hearing scheduled for June 24, 2009.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

ISSUED this \_\_\_\_ day of May, 2009.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING

By: \_\_\_\_\_  
Douglas E. Johnson, Chairman